

## REMARKS

Claims 12 to 23 are being examined on the merits. Claims 1-12 and 14-15 have been canceled without prejudice or disclaimer thereof. Claim 13 is amended and support for the amendment is found in the specification at pages 1-3.

Claims 12, 13, and 20-21 were rejected under 35 U.S.C. §112, second paragraph, as vague and indefinite. Claim 12 has been canceled and therefore, the rejection as to this claim is moot. Claim 13 has been amended and the claim terms which the Examiner found indefinite have been omitted with the exception of "analog" of insulin.

Claim 13 is definite in its recitation of "insulin or an analog thereof" because the specification at page 3, paragraph 5, defines an analog of insulin as human or animal insulin in which one naturally occurring amino acid residue is substituted, deleted, and/or added to the A and/or the B chain of the naturally occurring insulin. Moreover, pages 1 and 2 describe the methods for obtaining such analogs of insulin. Definiteness of claim language must be analyzed in light of the application disclosure, the teachings of the prior art, and the claim interpretation that would be given by one of skill in the pertinent art at the time the invention was made. See *W.L. Gore & Assocs, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303 (Fed. Cir. 1983). There is no doubt that one of skill in the insulin arts at the time the claimed invention was made would understand the metes and bounds of the term "analog(s) of insulin."

Amended claim 13 also specifically recites a reaction and therefore, the antecedent basis for "the reaction" in claims 20 and 21 is proper. The Examiner is requested to withdraw this §112 rejection of claims 13, 20, and 21.

Claims 12, 14 and 15 were rejected as anticipated under 35 U.S.C. §102(b) by Perry and by Graessel et al. Although Applicant does not acquiesce in these rejections, claims 12 and 14-15 have been canceled to advance prosecution. Therefore, the rejection of these claims is moot.

It is submitted that amended claim 13 and the claims dependent thereon are definite in reciting an enzymatic extraction of an insulin or its analogs and as there is no art cited against claim 13, the Examiner is requested to allow the pending claims 13 and 16-23.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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